

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

LEAH ROYCE HINES,

Plaintiff,

v.

Civil Action No. 2:04-0690

WYETH, d/b/a Wyeth, Inc.;
WYETH PHARMACEUTICALS, INC.;
and PHARMACIA & UPJOHN COMPANY,

Defendants.

VERDICT FORM

1. Has Mrs. Hines proven by a preponderance of the evidence that the drugs Premarin and Prempro (manufactured by defendant Wyeth) and the drug Provera (manufactured by defendant Upjohn) proximately caused her breast cancer?

_____ YES

☒ NO

If you answered "NO", proceed to Question 9, sign this form where indicated, and inform the Court Security Officer you have a verdict.
If you answered "YES", please proceed.

2. Has Mrs. Hines proven, by a preponderance of the evidence, her claim for failure to warn as to defendant Wyeth?

_____ YES

_____ NO

3. Has Mrs. Hines proven, by a preponderance of the evidence, her claim for failure to warn as to defendant Upjohn?

_____ YES

_____ NO

4. Has Mrs. Hines proven, by a preponderance of the evidence, her claim for breach of the implied warranty of merchantability as to defendant Wyeth?

_____ YES

_____ NO

5. Has Mrs. Hines proven, by a preponderance of the evidence, her claim for breach of the implied warranty of merchantability as to defendant Upjohn?

_____ YES

_____ NO

6. Has Mrs. Hines proven, by a preponderance of the evidence, her claim for design defect as to defendant Wyeth?

_____ YES

_____ NO

7. Has Mrs. Hines proven, by a preponderance of the evidence, her claim for design defect as to defendant Upjohn?

_____ YES

_____ NO

If you answered "YES" to any of Questions 2 through 7, proceed to Question 8.

If you answered "NO" to all of Questions 2 through 7, proceed to Question 9, sign this form where indicated, and inform the Court Security Officer you have a verdict.

8. What amount of money, if any, would fairly and reasonably compensate Mrs. Hines for the damages caused by the defendants' conduct?

\$ _____

9. Have defendants proven by a preponderance of the evidence that Mrs. Hines knew, or by the exercise of reasonable diligence should have known, on or before July 5, 2002, that Premarin, Prempro, and Provera had a causal relationship to her breast cancer?

✓ YES

_____ NO

We the jury do, by a preponderance of the evidence,
unanimously agree upon the foregoing verdict.

Foreperson

7/28/2011

Date